CLR No. 13 of 2001

Hon'ble M.C. Jain, J.

Heard learned counsel for the revisionist and perused the impugned order whereby his application for being impleaded in suit no.93 of 1999 has been rejected by the lower Court.

The said suit has been filed by the present respondent nos. 1 and 2 against the present respondents nos. 3 and 4 on the ground that they purchased the disputed property from them. The present revisionist claims to be the actual owner of the disputed property and according to him the present respondent no.4 is his tenant in the property in question. During the course of argument, it is revealed by the learned counsel for the revisionist that he has already filed civil suit no. 620 of 2000 for the cancellation of the sale-deed on which the respondent no.1 and 2 are relying. The question of the validity of the sale deed in question has to be examined in that suit. The impugned order rejecting the application of the revisionist for being impleaded in the present suit can not be framed. The revision is dismissed.

However, it would be open for the Revisionist to make a prayer to District Judge concerned for transferring the two suits in one and the same court so that there may not be the possibility of any conflicting finding.

(M.C. Jain, J.)

Dt. 26.04.2001
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